

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**

George Blaisdell,

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Plaintiff

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v.

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CASE NUMBER: 07-CV-390-JL

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City of Rochester

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Rochester Police Department

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Defendants

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MOTION TO EXTEND DEADLINES AND CONTINUE TRIAL

NOW COME the defendants, City of Rochester and Rochester Police Department, by and through their attorneys, Devine, Millimet & Branch, Professional Association, and move to extend deadlines and continue trial as follows:

1. In prior correspondence regarding other litigation with the City, plaintiff indicated that he would not be available for November and most of December of 2008 due to his health and other issues.

2. In light of the upcoming trial in the above-captioned case, on December 19, the City noticed plaintiff's deposition to take place at the end of December on December 30. In the accompanying letter, counsel requested that plaintiff contact her immediately if unable to attend.

3. Plaintiff did not appear for the deposition on December 30, nor has plaintiff been in contact regarding this matter. Counsel has been unable to reach plaintiff by telephone.

4. In light of this delay, the City requests a continuance. Given counsel's upcoming litigation schedule, counsel requests that the trial be scheduled for the two week period beginning September 16, with discovery to be completed August 1, and summary judgment motions due May 15.

5. Counsel has attempted to contact Mr. Blaisdell regarding this motion without success.

6. No memorandum of law is required as the relief requested is within Mr. Blaisdell's discretion.

WHEREFORE these defendants pray that this Court:

A. Continue trial and discovery dates as set forth in paragraph 4 of this motion; and

B. Grant such further relief as is just and necessary.

Respectfully submitted,

*CITY OF ROCHESTER AND ROCHESTER
POLICE DEPARTMENT*

By Their Attorneys,
DEVINE, MILLIMET & BRANCH
PROFESSIONAL ASSOCIATION

Date: January 13, 2009

By: /s/ Catherine M. Costanzo
Catherine M. Costanzo, Esquire
111 Amherst Street
Manchester, NH 03101
(603) 669-1000

AFFIDAVIT

I hereby swear that the facts contained herein are true and based upon the personal knowledge of the undersigned.

/s/ Catherine M. Costanzo
Catherine M. Costanzo

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

Subscribed and sworn to before me this 13th day of January, 2009.

/s/ Diane J. Tkacz
Notary Public/Justice of the Peace

My Commission Expires:
11/28/2012

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served on the following persons on this date and in the manner specified herein: via U.S. mail, postage prepaid to George Blaisdell, 794 Portland Street, East Rochester, NH 03868.

/s/ Catherine M. Costanzo
Catherine M. Costanzo